

Ventnor City Planning Board

Minutes

February 22, 2021, 6:30pm

The meeting was held by remote access only, by video and audio means.

Chairman Cooke called the meeting to order at 6:32pm.

1. Flag Salute

2. Roll Call

Present

Commissioner Kriebel

Jay Cooke

Roman Zabihach

Lorraine Sallata

Dan Smith III

Mike Wiesen

Peter Tocco

Tim Koob

Greer Gaskill

Absent

Commissioner Landgraf

Tom Halpin

Wendy Bartlett

Professionals

Leo Manos Esq., Board Solicitor

Roger McLarnon, Board Engineer & Professional Planner

Carmella Malfara, Board Administrator/Secretary

Procedure

Chairman Cooke announced the meeting is being held in accordance with due public notice thereof and pursuant to the New Jersey State "Sunshine Law", which governs all public meetings. He also advised the Board on the intent of the meeting and procedures which to follow.

3. Minutes

Motion to adopt February 10, 2021 minutes was made by Peter Tocco and seconded by Dan Smith III. The motion was approved with the exception of Lorraine Sallata who had to abstain.

4. Resolutions

Motion to approve the following resolution was made by Peter Tocco and seconded by Greer Gaskill and were unanimously approved, with the exception of Lorraine Sallata who had to abstain.

P – 10 – 2021 – Paul Raffelo & Samantha DeMaio – 5301 Atlantic Ave.

5. Applications

** Michael & Debra Fabrico – 16 N Troy Ave, block 124, lot 6.04, located in the R-4 zone. The applicant is seeking C variance for front yard setback (porch), front yard setback (2nd floor) and possibly other to construct new deeper first and seconded floor decks. The applicant is being represented by Eric Goldstein Esq.

Dan Smith III recuses himself.

Mr. McLarnon, Board Engineer & Professional Planner, is sworn in.

Mr. Mrs. Fabrico, property owners, 16 N Troy Ave, are sworn in.

Matthew Carney, Project manager, 1515 Zion Rd, Northfield NJ, is sworn in.

Mr. McLarnon, reads his review dated February 17,2021, which is attached.

Mr. Goldstein, attorney for the applicant, introduces the application.

Mr. Fabrico, gives his testimony. He gives a brief history on the property and discusses the need for the deck expansion, which would not be intrusive.

Mr. McLarnon, states that after evaluating the site street trees are not possible and a waiver should be requested.

Mr. Cooke inquires as to the proposed decks being in line with the other homes. He also inquires as to the home being lifted.

Mr. Goldstein States that the home was lifted prior to the Fabrico's purchasing the property.

Public portion opens.

Public portion closes.

Mr. Manos review the C variances for front yard setback (porch), front yard setback (2nd floor) along with a waiver for street trees and any other conditions set forth in Mr. McLarnon's report.

Motion to approve C variances relief was made by Roman Zabihach and seconded by Greer Gaskill. The motion was approved seven in the affirmative and zero in the negative. Ayes; Commissioner Kriebel, Jay Cooke, Roman Zabihach, Lorraine Sallata, Mike Wiesen, Peter Tocco and Tim Koob. Nays; None.

Dan Smith III returns.

** Mathew & Heather Chowns – 136 N Derby Ave, block 157, lot 7, located in the R-7 zone. The applicant is seeking C variance relief for rear yard setback, minimum lot depth and possibly others to construct a new single-family dwelling. The applicant is being represented Scott Abbott Esq.

George Thomas, New Jersey Licensed Architect & Engineer and Planner, is sworn in and his credentials are accepted.

Mr. & Mrs. Chowns, property owner, 136 N Derby Ave, are sworn in.

Mr. McLarnon reads his review dated February 22, 2021, which is attached. He addresses the issue of landscaping, as well as the waiver for street trees. He proposes a condition whereas the applicant must produce an as built survey.

Mr. Abbott, attorney for the applicant, presents the application.

Mr. Thomas explains the variances being requested and describes the condition of the site. He also discusses the rear decks and confirms that the plans submitted would not cause any detriment to the neighbors or zoning ordinance.

Mr. Cooke inquires as to the number of bedrooms as well as the number of parking spaces to be provided.

Mr. McLarnon would recommend the land to be filled.

Mr. Chowns states the process has been started.

Mr. Cooke inquires as to the dimensions of the decks.

Public portion opens.

Anthony Sarnese, property owner, 225 N Derby Ave is sworn in and speaks in favor of the application.

Beth Kwart, property owner, 125 N Derby Ave, is sworn in and speaks in favor of the application however, she would like to see the black pine trees replanted.

Mr. McLarnon agrees.

Mrs. Sallata also agrees and would like that to be a condition of approval.

Mr. Abbott states that the applicants will work on a landscape plan.

Public portion closes.

Mr. Manos review C variances for rear yard setback, minimum lot depth as well as a condition of approval whereas the applicant shall submit a landscape plan along with any other conditions set forth in Mr. McLarnon's report.

Motion to approve C variance relief was made by Peter Tocco and seconded by Lorraine Sallata. The motion was approved seven in the affirmative and zero in the negative. Ayes; Commissioner Kriebel, Jay Cooke, Roman Zabihach, Lorraine Sallata, Dan Smith III, Mike Wiesen and Peter Tocco. Nays; None.

Commissioner Kriebel recuses himself.

**101 N Dorset Avenue LLC, - 101 N Doesrt Ave, block 155, lot 1, located in the Commercial District Zone. The applicant is seeking D "Use variance, C variances for rear yard setback (principal building), lot coverage, parking (residential, parking (commercial), signs, curb cut and an amended minor site plan. The applicant is proposing to construct a new flood compliant structure with apartments above commercial space. The applicant is being represented by Christopher Baylinson Esq.

Andrew Schaeffer, New Jersey Licensed Engineer & Professional Planner, 1425 Cantillon Blvd, MaysLanding NJ, is sworn in, and his credentials are accepted.

Ryan Slaven & Vanessa Wong, property owner, 101 N Dorset Ave, are sworn in.

Stephen Fenwick, New Jersey Licensed Architect, 646 Ocean Heights Ave Linwood NJ, is sworn in and his credentials are accepted.

Mr. Manos gives clarification s to why commissioner Kriebel must recuse himself.

Mr. McLarnon, read his review dated February 18, 2021, which is attached. He states that the prior approved D “Use” variance will carrier over to this application and therefore the D “Use” variance shall be removed. He also states that the prior application was raise and renovate the building and now the applicant will construct a new flood compliant dwelling.

Mr. Baylinson, attorney for the applicant, informs the Board that the applicant will adjust the parking spaces so that the residential parking variance can be removed and they will reduce the curb cut. He also states that he would like a review of the prior approved variances, he believes that other may carrier over.

Mr. Manos agrees. Mr. Manos informs the Board that the prior approved variance for signage shall carry over as well.

Mr. McLarnon suggest as a condition of approval an ADA parking space shall be provided.

Mr. Fenwick explains the proposed layout of the building. He also describes the condition of the site and variances being requested.

Mr. Baylinson requests flexibility to change the front door from Dorset Ave to Edgewater Ave depending on the need for the commercial space.

Mr. Cooke inquires as to the 1st floor elevation.

Mr. Schaeffer, states that the elevation will stay the same and will be flood compliant.

Mr. Smith III inquires as to any parking restrictions and the number of spaces per unit.

Mr. Baylinson states each unit will have two parking spaces.

Public portion opens.

Beth Kwart, property owner, 125 N Derby Ave, speaks in favor of the application, she believes the parking variance should be waived due to the fact that the site will have a commercial space and parking is limited.

Public portion is closed.

Mr. McLarnon suggests if the applicant has any difficulty obtaining an ADA space that they shall not have to return to the Board.

Mr. Manos reviews the amended minor site plan, C variances for lot coverage, parking (commercial) where as the parking (residential) was removed and the Use variance and signage variances carry over along with any other conditions set forth in Mr. McLarnon's review.

Motion to approve C variance relief was made by Roman Zabihach and seconded by Tim Koob. The motion was approved seven in the affirmative and zero in the negative. Ayes; Jay Cooke, Roman Zabihach, Lorraine Sallata, Dan Smith III, Mike Wiesen, Peter Tocco and Tim Koob. Nays; None.

Commissioner Kriebel returns.

Peter Tocco and Lorraine Sallata recuse themselves.

**Peter & Patricia Pagano – 129 N Surrey Ave, block 149, lots 8,9,10, located in the R-7 zone. The applicant is seeking C variance relief for front yard setback (pool), rear yard setback (cabana) and rear yard setback (pool). The applicant is being represented by Scott Abbott Esq.

Art Ponzio, New Jersey Licensed Surveyor and planner, 400 N Dover Ave Atlantic City NJ, is sworn in and his credentials are accepted.

Christina Amey, New Jersey Licensed Architect, 761 Asbury Ave, Ocean City NJ, is sworn in and his credentials are excepted.

Peter & Patricia Pagano, property owners, 129 N Surrey Ave, are sworn in.

Mr. Abbott, attorney for the applicant, presents the application. He explains that the application is a continuance from the February 10, 2021 meeting. He informs the Board that the plans have been revised. The deck and pool have been lowered and the side yard setback has been eliminated.

Mr. Ponzio describes the site and the variances being requested. Mr. Abbott asks Mr. Ponzio to confirm that this application is a hardship variance.

Mr. Abbott asks Ms. Amey to describe the proposed planters and the location of the pool equipment.

Mr. Cooke would like clarification of the pool equipment.

Ms. Amey explains the location.

Mr. Cooke recommends enclosing the pool equipment.

Mr. Abbott, on behalf of the applicant, agrees to enclose the pool equipment.

Mr. Zabihach inquires as to the lots being consolidated and if in fact lot 7 will be included.

Public portion opens.

Deirdre Agan, property owner, 110 N Surrey Ave, is sworn in and speaks in favor of the application.

Lindsey Stinson, property owner 112 N Surrey Ave, is sworn in and speaks in favor of the application and would not like to see a curb cut added.

Rusty Carfagno, property owner, 5300 Edgewater Ave, is sworn in, he also states his concerns for the extra curb cut, however is in favor of the application.

Richard Hartwig, 109 N Surrey Ave, is sworn in, and states is concerns as to the lack of parking and is against any additional curb cut.

Public portion is closed.

Mr. McLarnon inquires as to the applicant using Ms. Amey's plans when submitting compliance plans.

Mr. Cooke inquires as to the number of boats slips.

Mr. Abbott informs the Board that the Pagano's will have three boat slips.

Mr. Manos reviews C variances for front yard setback (pool), rear yard setback (cabana) and rear yard setback (pool) along with conditions whereas the applicant shall consolidate the lots and enclose the pool equipment.

Motion to approve C variances was made by Roman Zabihach and seconded by Tim Koob. The motion was approved seven in the affirmative and zero in the negative. Ayes; Commissioner Kriebel, Jay Cooke, Roman Zabihach, Dan Smith III, Mike Wiesen, Tim Koob and Greer Gaskill. Nays; None.

Motion to adjourn was made by Roman Zabihach and seconded by Tim Koob.

Mr. Smith III made a noteworthy statement regarding parking ordinance.

The audio of this recording is available on the Ventnor City Website.

Respectfully submitted
Carmella Malfara
Planning Board Administrator/Secretary

[021721 rdm ventnor planning and engineering report 16 North Troy Avenue.pdf](#)

[021821 rdm ventnor planning board engineering report 136 North Derby Avenue.pdf](#)

[021821 rdm ventnor planning engineering report 101 North Dorset Avenue variance report.pdf](#)

[020521 rdm ventnor planning board engineering report 129 North Surrey Avenue revised 021721.pdf](#)

